

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

J & J SPORTS PRODUCTIONS, INC.,

Plaintiff,

vs.

CONCEPCION GARRIDO, individually and  
a/k/a  
CONCEPCION S. GARRIDO d/b/a  
TAQUERIA EL REY, and TAQUERIA EL  
REY, INC.,

Defendants.

**8:18CV186**

**ORDER**

This matter comes before the court after a review of the court file and pursuant to NECivR [41.2](#), which states in relevant part: “At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

Plaintiff commenced this action on April 27, 2018. ([Filing No. 1](#)). Plaintiff has filed three documents titled “Proof of Service” purporting to show that Taqueria El Ray, Inc. and Concepcion Garrido a/k/a Concepcion S. Garrido were served on June 6, 2018. (Filing Nos. 10-12). No defendant has filed any responsive pleading or requested additional time to do so, and Plaintiffs have taken no further action in this case. Plaintiff has a duty to prosecute the case and may, for example, seek default in accordance with the applicable rules, voluntarily dismiss the case, or take other action as appropriate. Under the circumstances, Plaintiff must make a showing of good cause for failure to prosecute or the action must be dismissed. Accordingly,

**IT IS ORDERED:** On or before **August 27, 2018**, Plaintiff must show cause why this case should not be dismissed for failure to prosecute or take some other appropriate action.

Dated this 13<sup>th</sup> day of August, 2018.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge